



February 15, 2023

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Kansas Appleseed Center for Law and Justice
Written Testimony in Support of HB 2443
House Committee on Child Welfare and Foster Care

Members of the House Committee on Child Welfare and Foster Care:

Thank you for the opportunity to testify in support of HB 2443, which would codify an Office of the Child Advocate into law. Kansas Appleseed Center for Law and Justice is a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities. We use data, research, and direct work with impacted Kansans to guide our policy advocacy.

Kansas Appleseed supports HB 2443.

We recognize that legislation has passed the Senate on this topic and that this bill does not exactly mirror that legislation. We believe that a collaborative effort to analyze both bills and determine which provisions from either bill make the office most capable of robustly acting as an advocate to protect and serve the children of Kansas gives this legislature the opportunity to craft monumental legislation that will serve Kansans for decades to come.

Key Areas of Consideration

1. HB 2443 creates the child advocate advisory board in New Section 3. This board is made up of 12 appointees with members being appointed by either the Chief Justice of the Supreme Court, the governor, or legislative leadership. This section reflects an important element – Analysis by Kansas Appleseed of the independent offices of the child advocate and child ombudsman offices in other states shows those states have better outcomes for kids in care when more branches of government are involved in the appointment process. It can reasonably be assumed that this finding reflects this type of model's superior ability to maintain independence in the office and resist politicization.
2. HB 2443 includes a provision of necessary requirements in New Section 5 (b). We support the inclusion of this requirement ensuring that the Child Advocate has relevant expertise in child welfare. Inclusion of this provision is another step that can be taken to ensure that the individual appointed as the child advocate can appropriately carry out their duties and will be an effective and devoted champion for children's best interests.



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Justice for all.

3. New Section 7 (c) (1) reflects recommendations for retaliatory protections extending to both employees of state agencies as well as their contracting entities. This protection has not always been included in previous versions of bills addressing the Office of the Child Advocate but we are happy to see it included here.
4. Other key areas that should be addressed would be the powers and authority granted to the Child Advocate to investigate claims, make recommendations, and/or intervene in certain situations in appropriate ways. We are happy to offer our organization as a resource as you consider these issues.

Thank you for the opportunity to testify in support of HB 2443 today. The children of Kansas deserve the strongest, most independent Office of the Child Advocate that we all can imagine and we look forward to continuing the work with you to codify this important tool into law this year, and to continue our work to protect our children and improve our child welfare system for many years to come.

Kansas Appleseed urges you to consider our recommendations and pass HB 2443 favorably.